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4 UNITED STATES DISTRICT COURT  
5 DISTRICT OF NEVADA

6 MARVIN MORAN,

7 Plaintiff,

Case No. 3:18-cv-00381-MMD-WGC

**ORDER**

8 v.

9 CHRISTY L. CRAIG, *et al.*,

10 Defendants.  
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12 Plaintiff, who is incarcerated within Ely State Prison, filed a document initiating this action  
13 titled, "Notice of Intent Civil Rights Complaint Pursuant to 42 U.S.C. § 1983." (ECF No. 1-1.)  
14 The document was not accompanied by the filing fee or a completed application to proceed *in*  
15 *forma pauperis* (IFP).

16 The Clerk shall **SEND** Plaintiff a copy of the instructions and application to proceed IFP  
17 for an inmate. Plaintiff has **THIRTY (30) DAYS** from the date of this Order to either file his  
18 completed IFP application and account statement, or pay the filing fee. The application must be  
19 accompanied by a certified copy of his trust fund account statement, and the financial certificate  
20 signed by a person authorized on behalf of the institution where he is incarcerated. If Plaintiff  
21 elects to pay the filing fee, the total amount is \$400, which consists of the \$350 filing fee and a  
22 \$50 administrative fee. If he files a completed IFP application, he is still responsible for paying  
23 the \$350 filing fee over time, even if his action is dismissed. If Plaintiff does not pay the filing fee  
24 or file a completed IFP application within thirty days, dismissal will be recommended.

25 In the event Plaintiff files a completed IFP application or pays the filing fee, the court will  
26 screen the complaint pursuant to 28 U.S.C. § 1915(e)(2)(B), or 28 U.S.C. § 1915A, or both.  
27 28 U.S.C. § 1915(e)(2)(B) applies to a plaintiff proceeding IFP, and 28 U.S.C. § 1915A applies to  
28 complaints filed by prisoners who seek redress from a governmental entity or officer or employee

1 of a governmental entity. Both require dismissal of a complaint, or any portion thereof, that is  
2 frivolous, malicious, fails to state a claim upon which relief may be granted, or seeks monetary  
3 relief against a defendant immune from such relief. Again, if the complaint is dismissed on  
4 screening, Plaintiff will not be refunded the \$400 filing fee if it was paid, or if he is granted IFP  
5 status, he will still be responsible for paying the \$350 filing fee over time.

6 **IT IS SO ORDERED.**

7 DATED: August 23, 2018.

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WILLIAM G. COBB  
10 UNITED STATES MAGISTRATE JUDGE  
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